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January 13, 2016

TO: DENR-DWR-Wetlands-Public Listserv

FROM: Karen Higgins, 401 & Buffer Permitting Branch

RE: MBI Modification for Riparian Buffer Mitigation and Nutrient Offset Credits in the Jordan Lake Watershed – Watershed Investments NC, LLC; Proposed Riparian Buffer Mitigation and Nutrient Offset BPDP in the Jordan Lake Watershed – Watershed Investments NC, LLC

The purpose of this Public Notice is outlined below. This notice is available electronically at <http://portal.ncdenr.org/web/wq/swp/ws/401/publicnotices>.

I. MBI Modification for Riparian Buffer Mitigation and Nutrient Offset Credits in the Jordan Lake Watershed

A Mitigation Banking Instrument (MBI) was approved on October 6, 2015 by the Division of Water Resources (Division) under 15A NCAC 02B .0295 and 15A NCAC 02B .0240 for Watershed Investments NC, LLC. A MBI modification request was received by the Division on December 17, 2015 and approved on January 7, 2016. Changes to the MBI are as follows:

- Correction to the numerical content in Table 2.0 of Section VII, page 11.
- Clarity was added to Item G (1) of Section VII, page 11
- Correction in terminology from “*buffer impacts*” to “*impacts*” in Item C of Section IX, page 13

The MBI can be found online at <http://portal.ncdenr.org/web/wq/nobuffermitigation>

II. Proposed Riparian Buffer Mitigation and Nutrient Offset Bank Parcel Development Package in the Jordan Lake Watershed

A Jordan Lake Umbrella Mitigation Banking Instrument for Watershed Investments NC, LLC was approved on October 6, 2015 and updated on January 7, 2016.

Watershed Investments NC, LLC has submitted a proposed Bank Parcel Development Package (BPDP) for the Neville Farms Riparian Buffer and Nutrient Offset bank parcel, which is located in the Upper New Hope Sub-Watershed of the Jordan Lake Watershed (14-digit USGS HUC 03030002060070) near Chapel Hill, in Orange County. Stormwater runoff from this site drains into Neville Creek.

The proposed bank parcel will be used to generate approximately 6.12 acres of riparian buffer and/or nutrient offset mitigation. Restoration and preservation of riparian buffers will provide approximately 1.2 acres (51,400.8 ft²) and 1.22 acres (5,488.5 ft²) respectively of riparian buffer credits. Restoration of other riparian areas will provide approximately 8,026.27 lbs of generated nitrogen and 532.09 lbs of generated phosphorous for nutrient offset credits. The delivery factors applied to this site are 89% for nitrogen and 79% for phosphorous. Therefore, the total delivered nutrient offset credits are 7,143.38 lbs of delivered nitrogen and 420.34 lbs of delivered phosphorous.

Nutrient offset credits generated at this proposed site can be used to satisfy nutrient offset requirements for development projects located within the Upper New Hope Sub Watershed. Riparian buffer credits generated at this proposed bank site can be used to satisfy buffer mitigation requirements for impacts pursuant to 15A NCAC 02B .0295. The Division of Water Resources has no further comments on the proposed BPDP.

The proposed Neville Farms Riparian Buffer and Nutrient Offset BPDP can be found online at: <http://portal.ncdenr.org/web/wq/swp/ws/401/publicnotices>. Persons wishing to comment are invited to submit their comments in writing to Katie Merritt at (katie.merritt@ncdenr.gov or 1617 Mail Service Center, Raleigh, NC 27699-1617). All comments received by close of business (5:00 p.m.) on January 28, 2016 will be considered during preparation and approval of the final BPDP. If you have any questions, please contact Katie Merritt at 919-807-6371.